

EXHIBIT H

From: Eidelman, Gary B.
Sent: Friday, July 20, 2018 7:50 AM
To: 'Shawn Shearer'
Cc: David Zeitlin; Cooper, Gillian A.; Kennedy, Lindsey C.
Subject: RE: Barger v. First Data - Voycheske Deposition Postponement

Shawn:

I am in receipt of your letter canceling Ms. Voycheske's deposition scheduled for this coming Monday, July 23, 2018. The decision to cancel her deposition is entirely your choice. If there are any costs that we incur due to your last minute cancellation of her deposition, I plan to send you an invoice. If you plan to schedule Ms. Voycheske's deposition for another date in August, I would encourage you not to just unilaterally pick a date in August, but run dates by us before-hand so that we can check on availability.

You assertions regarding Ms. Voycheske's affidavits are meritless. The additional documents that she refers to in her supplemental declaration were produced months ago and do not change the substance of her testimony one iota. Whether she spoke to Mr. Barger or received an email from him on January 5, 2016, it was your client who told her when his leave began. Similarly, you have had the MetLife computer screen shot for months which indicates when they approved his STD leave.

For some reason, you blindly ignore statements regarding scheduling that we have made in prior correspondence. You seem to think that if you keep repeating the same thing, it will just happen. Specifically, on July 4, 2018, you unilaterally canceled the depositions that had been scheduled for Dallas for July 30 and 31. That certainly was your decision to make and we released the witnesses for those dates, along with Joe Plumeri for July 19. However, as a result of those cancellations, those days became free for other matters. We have told you time and time again that those dates are no longer available for depositions but you don't seem to be getting the message. **SO THERE BE NO CONFUSION, FIRST DATA WILL NOT PRODUCE ANY WITNESSES ON JULY 30 OR 31, 2018.** If you travel to NYC on those dates, do not expect First Data to reimburse you and your wife for any costs.

We will see you on August 10, 2018 for the Plaintiff's deposition at our offices in NYC.

Have a nice weekend.

Gary B. Eidelman, Esq.
Saul Ewing Arnstein & Lehr LLP
Office: 410.332.8975
Mobile: 410.303.8832

From: Shawn Shearer [<mailto:shawn@shearerlaw.pro>]
Sent: Friday, July 20, 2018 7:09 AM
To: Eidelman, Gary B.; Cooper, Gillian A.; Kennedy, Lindsey C.
Subject: Barger v. First Data - Voycheske Deposition Postponement

****EXTERNAL EMAIL** - This message originates from outside our Firm. Please consider carefully before responding or clicking links/attachments.**

Gary, Gillian and Lindsey – Please see the attached letter withdrawing Ms. Voycheske’s deposition notice for July 23, 2018. A new notice for her deposition will be sent for a date in mid- to late- August.

Shawn E. Shearer

The Law Office of Shawn Shearer, P.C.

3839 McKinney Avenue #155-254

Dallas, TX 75204

(972) 803-4499

www.shearerlaw.pro

THIS EMAIL MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION AND IS INTENDED FOR USE ONLY BY THE NAMED RECIPIENT. ANY OTHER USE OF THIS INFORMATION OR ANY ATTACHMENTS IS FORBIDDEN. IF YOU RECEIVE THIS EMAIL IN ERROR, PLEASE DELETE ALL COPIES AND, IF POSSIBLE NOTIFY THE INTENDED RECIPIENT.